



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 20, 2021

BY ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Alan Tejeda-Isabel*, No. 20 Cr. 515 (JMF)

Dear Judge Furman:

A pretrial conference in the above-captioned matter is scheduled for February 12, 2021, at 3:30 p.m. The Court also directed that the defense file any motions by January 22, 2021, that the Government file any opposition by February 5, 2021, and the defense file any reply by February 12, 2021. The Government writes to respectfully request that the Court adjourn the conference and filing deadlines for approximately 30 days.

In December 2020, the defense submitted a mitigation package for the U.S. Attorney's Office's consideration. Shortly thereafter, the undersigned was out of the office for a significant period to address a family medical issue, as a result of which the Government's consideration of the defendant's submission was delayed. The Government expects to be able to reach a decision on the defendant's application within approximately one week. The requested adjournment will permit the Government to respond to the application prior to the defense having to prepare any motions, and, in the event that the U.S. Attorney's Office denies the defendant's application, will permit the defense sufficient time to prepare any motions. In addition, because the defendant is potentially eligible for safety-valve relief, and in light of various logistical challenges presented by the COVID-19 pandemic, the adjournment will also permit defense counsel sufficient time to advise the defendant regarding the safety valve, and for the parties to coordinate any related meetings with the defendant, who is in custody.

In the event that the Court grants the requested adjournment, the Government respectfully requests that the Court exclude time under the Speedy Trial Act, from February 12, 2021 to the date that the conference is rescheduled, for the reasons stated above. The Government submits that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

I have communicated with defense counsel, who has consented to the above requests.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: 
Brett M. Kalikow
Assistant United States Attorney
(212) 637-2220

cc: Marisa Cabrera, Esq. (via ECF)

Application GRANTED. The deadline for defense motions is extended to February 25, 2021. The Government's opposition is due by March 11, 2021, and any reply is due by March 18, 2021. Additionally, the pretrial conference is hereby ADJOURNED to March 8, 2021, at 3:00 p.m. Time is hereby excluded in the interest of justice from today until March 8, 2021, for the reasons set forth in the Government's letter. The Clerk of Court is directed to terminate Doc. #14.

SO ORDERED.



January 20, 2021